

**LAWRENCE N. LAVIGNE, ESQ., L.L.C.**

2444 Morris Avenue, Suite 206  
Union, New Jersey 07083  
Telephone (908) 687-7750  
Telefax (908) 687-7752  
E-Mail: Larry@LNLavigneLaw.com  
Website: LNLavigneLaw.com

Lawrence N. Lavigne\*  
Admitted in N.J. & N.Y.

\*Certified by the New Jersey  
Supreme Court as a  
Civil Trial Attorney

Jignesh J. Shah  
Of Counsel

October 1, 2019

The Hon. Leda Dunn Wettre, USMJ  
United States District Court for the District of New Jersey  
MLK Jr. Fed Bldg & Courthouse  
50 Walnut Street  
Newark, New Jersey 07102

Re: Henderson v NY Jets  
Civ Action No. 2:17-10110(SDW)(LDW)

Dear Magistrate, Wettre:

The undersigned represents Plaintiff in the above-referenced matter. Please accept this letter concerning the status of this matter and seeking a date by which Defendant must supply liability expert witness reports.

The undersigned served Plaintiff's liability expert witness report on defense counsel on or about June 7, 2019. Hence, the Jets have had this report for almost 4 months. On June 21, 2019 Mr. Saravay requested the deposition of Plaintiff's expert. We objected to that request. On June 25, 2019 Mr. Saravay brought the issue to Your Honor's attention. You ordered the undersigned to respond to Mr. Saravay's letter by June 28, 2019. I responded on June 27, 2019 setting forth Plaintiff's position.

On July 19, 2019 Your Honor and counsel participated in a telephone conference. The upshot of same was that notwithstanding Plaintiff's assertion that the expert's report did not require clarification, I agreed to respond to certain questions raised by Mr. Saravay. On or about July 29, 2019, Mr. Saravay and I spoke, and he advised the issues that he wanted clarified. This consisted of 5 questions. I contacted the expert witness who was out of the state and responded to Mr. Saravay's request for clarification by letter dated August 12, 2019. Thereafter, on September 9, 2019 Your Honor and counsel had a second conference call wherein Mr. Saravay indicated that he sought even further clarification of the subject expert witness report. On

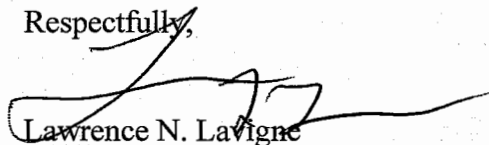
September 16, 2019 Mr. Saravay sent an email to the undersigned requesting the additional clarification that he was seeking consisting of 3 questions. This email was responded to by my letter dated September 23, 2019. On that same day, we were to participate in another conference call with Your Honor. Mr. Saravay wrote to you indicating that he had just received my letter of same date. These questions were not really seeking clarification of any previous statement made by the expert in his report. Rather, they sought additional information and explanation of the clarification that we had provided in our August 12, 2019 letter.

From Plaintiff's prospective, Defendants have had Plaintiff's expert witness report for just shy of 4 months. Mr. Saravay posed 5 questions initially in July 2019 and another 3 questions in September. We responded in a timely manner to all of these questions. At this point, we ask Your Honor to set a date by which the Jets must produce their liability expert witness reports<sup>1</sup>.

Should Your Honor require another conference call, I respectfully request that it be scheduled in the very near future.

Your Honor's consideration is greatly appreciated.

Respectfully,



Lawrence N. Lavigne

---

<sup>1</sup> Defendant has never raised an issue as to damage expert witness reports. Plaintiff submits that Defendant must be barred from offering such reports.